

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

KIMBERLEE WILLIAMS, *et al.*,

Plaintiffs,

v.

BASF CATALYSTS, LLC, *et al.*,

Defendants.

Civil Action No. 11-1754 (JLL)

ORDER

IT APPEARING THAT:

1. On April 23, 2018, Special Master Roberto A. Rivera-Soto entered an Order requiring the parties to appear on Wednesday, May 2, 2018, for an evidentiary hearing with regard to Plaintiffs' Motion Seeking an Order to Determine the Applicability of the Crime-Fraud and *Kozlov* Exceptions to Defendants' Privilege Claims. (ECF No. 485). Said Order also required the parties to make certain submissions on or before April 30, 2018. (Id.).

2. On April 24, 2018, Plaintiffs filed a letter, directed to Special Master Rivera-Soto, indicating that they intended on appealing the April 23, 2018 Order and requesting a stay of the evidentiary hearing pending the outcome of same. (ECF No. 487).

3. On April 25, 2017, Special Master Rivera-Soto entered an Order denying Plaintiffs' request to stay the evidentiary hearing. (ECF No. 491).

4. On April 30, 2018, Plaintiffs filed an Emergent Motion to Stay the April 23, 2018 Order. (ECF No. 494). Therein, Plaintiffs assert that they are likely to succeed on the merits of their impending appeal, that they will suffer irreparable harm if the stay is not granted, and that no other person or party, including the public, would be harmed by a stay of the April 23, 2018 Order. (Id).

5. The Court has reviewed Plaintiff's Motion for Stay as well as Special Master Rivera-Soto's April 23, 2018 Order. The Court is cognizant that, although Defendants have not had an opportunity to oppose this application, they may be prejudiced, by way of costs and fees expended in connection with preparation for the evidentiary hearing, if a stay is issued. Upon review, the Court believes that the best course of action would be to stay the matter until the appeal is filed and resolved, such that the Court can make an informed and timely decision regarding the merits of Plaintiffs' appeal. For these reasons,

IT IS THEREFORE on this 30th day of April, 2018,

ORDERED that Plaintiffs' Emergent Motion for a Stay of the April 23, 2018 Order (ECF No. 494) is hereby GRANTED; and it is further

ORDERED that the deadlines contained within the April 23, 2018 Order are hereby adjourned pending the outcome of Plaintiffs' forthcoming appeal; and it is further


ORDERED that Plaintiffs shall file their appeal on or before May 4, 2018; and it is further

ORDERED that Defendants shall file Opposition to Plaintiffs' appeal, if any, on or before May 11, 2018; and it is further

ORDERED that no replies will be accepted in connection with Plaintiffs' appeal; and it is further

ORDERED that Defendants may seek leave to file a Motion for Costs and Fees in connection with this matter, if necessary, after Plaintiffs' appeal has been resolved.

SO ORDERED.


JOSE L. LINARES
Chief Judge, United States District Court